

Lipson Neilson, P.C.
9900 Covington Cross Dr., Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

J. William Ebert (Nevada Bar No. 2697)
Jonathan K. Wong (Nevada Bar No. 13621)
LIPSON NEILSON P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
Telephone: (702) 382-1500
Facsimile: (702) 382-1512
bebert@lipsonneilson.com
jwong@lipsonneilson.com

*Attorneys for BIBTE Mining Inc.,
Eugene Donlan, and Rick Willard*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BIBTE MINING, INC, a Nevada limited
liability company,

Plaintiffs,

vs.

DAN GOLDEN, an individual, and
individual DOES 1 through 10 and
corporate ROES 1 through 10,

Defendants,

DAN GOLDEN, an individual,

Counterclaimant,

BIBTE MINING, INC., a Nevada Limited
Liability Company, EUGENE DONLAN, an
individual, RICK WILLARD, an individual.

Counterdefendants.

Case No. 2:21-cv-01508-JCM-VCF

**STIPULATION AND
ORDER TO EXTEND DEADLINE FOR
PLAINTIFFS TO FILE REPLY IN
SUPPORT OF MOTION FOR PARTIAL
SUMMARY JUDGMENT [DOC. NO. 15]**

[FIRST REQUEST]

Plaintiffs / Counterdefendants BIBTE MINING, INC., ("BMI"), Eugene Donlan ("Donlan"), and Rick Willard ("Willard") (BMI, Donlan, and Willard, referenced collectively as "BIBTE"), by and through their attorneys, J. William Ebert, Esq., and Jonathan K. Wong, Esq., of the firm of LIPSON NEILSON, P.C., and Defendant / Counterclaimant DAN GOLDEN, by and through his attorneys, Scott A. Knight, Esq. and Robert A. Ryan, Esq. of KNIGHT & RYAN, hereby stipulate to extend the time for Plaintiffs BIBTE and

1 Counterdefendants Eugene Donlan and Rick Willard to file their reply in support of their
2 Motion for Partial Summary Judgment [Doc. No. 15] by two (2) weeks or such other date
3 as is convenient to the court.

4 **STIPULATION**

5 1. Plaintiffs BIBTE filed their Complaint on May 14, 2021 in the Eighth Judicial
6 District Court, Clark County, Nevada on the issue of the invalidity of Golden's mining
7 claims.

8 2. Defendant DAN GOLDEN ("Golden") filed a Notice to State Court of
9 Removal of Civil Action to Federal Court on August 12, 2021.

10 3. The matter was removed to federal court and assigned to Judge James C.
11 Mahan and Magistrate Judge Cam Ferenbach of the United States District Court, District
12 of Nevada, on August 12, 2021.

13 4. Defendant GOLDEN filed counterclaims against Plaintiffs on September 8,
14 2021 [Doc. No. 7].

15 5. Plaintiffs filed their Answer to Counterclaims on September 30, 2021 [Doc.
16 No. 14].

17 6. Plaintiffs BIBTE Mining, Inc., Eugene Donlan, and Rick Willard filed a Motion
18 for Partial Summary Judgment [Doc No. 15] on September 30, 2021.

19 7. Defendant GOLDEN filed an Opposition to Plaintiff's Motion for Partial
20 Summary Judgment [Doc. No. 18] on October 21, 2021 ("Opposition").

21 8. Plaintiffs' reply to Defendant Golden's Opposition [Doc. No. 18] is currently
22 due on November 4, 2021.

23 9. In order to adequately respond to the Opposition, Plaintiffs and
24 Counterdefendants respectfully request additional time to file a reply.

25 10. The parties have agreed that Plaintiffs and Counterdefendants shall have an
26 additional two (2) weeks to file a reply in support of their Motion for Partial Summary
27 Judgment [Doc. No. 18], extending the deadline to respond from November 4 to
28 **November 18, 2021.**

11. This is the first request for an extension of time for Plaintiffs and Counterdefendants to respond to Defendant Golden's Opposition to BIBTE's Motion for Partial Summary Judgment [Doc. No. 18].

The Parties herein submit this Stipulation in good faith, based on the interests of justice, both in advancing the merits of the case more efficiently, and not for the purposes of delay.

IT IS SO AGREED.

DATED this 2nd day of November, 2021.

DATED this 2nd day of November, 2021.

KNIGHT & RYAN

LIPSON NEILSON, P.C.

/s/ Robert A. Ryan

/s/ Jonathan K. Wong

SCOTT A. KNIGHT, ESQ.
Nevada Bar No. 9083
ROBERT A. RYAN, ESQ.
Nevada Bar No. 12084
2850 W. Horizon Ridge Pkwy. Suite 200
Henderson, NV 89052
Phone: (702) 462-6083
scott@knightryan.com
robert@knightryan.com

J. WILLIAM EBERT, ESQ.
Nevada Bar No. 7582
JONATHAN K. WONG, ESQ.
Nevada Bar No. 13621
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
Phone: (702) 382-1500
bebert@lipsonneilson.com
jwong@lipsonneilson.com

*Attorney for Defendant / Counterclaimant
Dan Golden*

*Attorneys for Plaintiffs / Counterdefendants
BIBTE Mining Inc., Eugene Donlan, and Rick
Willard*

ORDER

Based on the foregoing Stipulation by and between the Parties,

IT IS SO ORDERED.

DATED: November 3, 2021


UNITED STATES DISTRICT JUDGE